

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Kyle Fellers, Anthony Foote,  
Nicole Foote, and Eldon Rash,

Plaintiffs,

v.

Marcy Kelley, Michael Desilets, Matt Fisk,  
Bow School District, Phillip Lamy & Steve  
Rossetti,

Defendants.

Case No. 1:24-cv-311-SM-AJ

**DECLARATION OF PHILIP LAMY**

I, Philip Lamy, state as follows:

1. I am over the age of 18 and am of sound mind.
2. I am currently a Lieutenant with the Bow Police Department, where I have been employed as a police officer since 2009.
3. At the request of the Bow School District, I performed a detail at the Bow High School on September 17, 2024.
4. While there, after half-time, I observed Michael Desilets and Bow Principal Matthew Fisk in a discussion with two men I understand to be Kyle Fellers and Eldon Rash.
5. I approached the men. As I stood by, Fellers continued to argue with Desilets, Fisk, and now me that Rash did not have to remove a wristband he apparently was wearing, citing the First Amendment and comparing the situation to Germany in the 1930's and 1940's. After an extended discussion, Desilets asked me to remove Fellers from the game. Fellers then left the immediate area.

6. I was later informed by Desilets that Fellers was at the parking lot by his car holding up some sort of sign. Desilets asked me to instruct him to leave the area.

7. I approached Fellers in the parking lot and directed him to leave. I was neither particularly close to Fellers nor did I raise my voice.

8. Despite my repeated instructions to leave the premises, Fellers refused to do so. In fact, Fellers tried to provoke me into arresting him. I chose not to do so. After Fellers put his sign away I left the scene.

9. This entire interaction with Fellers and Rash at the sideline was captured on my body-worn camera, as was my subsequent interaction with Fellers in the parking lot.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 7, 2024

/s/ Philip Lamy  
Philip Lamy